

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 15, 1970  
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order by Mayor LaRue.

Roll Call:

Present: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Absent: Councilman Johnson

The Invocation was delivered by MR. DOREN R. ESKEW.

APPROVAL OF MINUTES

Councilman Gage moved the Council approve the Minutes of the Regular Meetings of November 25, December 23 and December 30, 1969. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

REQUEST THAT JANUARY 15 BE DESIGNATED A  
LEGAL HOLIDAY IN AUSTIN IN MEMORY OF  
DR. MARTIN LUTHER KING

Mr. Volma Overton read a resolution passed by the Austin branch, NAACP, asking that January 15 be officially designated as a legal holiday in Austin in commemoration of Dr. Martin Luther King. It was pointed out that the Council could take no action since recent State legislation precluded action due to lack of posting 72 hours prior to Council meeting. Councilman Gage asked the City Manager to check into the matter for the Council and also noted that today was Dr. King's birthday.

ANNEXATION ORDINANCE - FINAL PASSAGE

Mayor LaRue brought up the following ordinance for its third reading:

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

Zoning Granted

MAUFRAIS BROS. by Richard C. Baker C14-69-315	Tract 3 1500-1616 Stassney Lane	From Interim "A" Residence, 1st Height and Area to "GR" General Retail, 1st Height and Area NOT RECOMMENDED by the Planning Commission RECOMMENDED by the Planning Commission "LR" Local Retail subject to 30' of right-of-way for Stassney Lane and 15' of right-of-way for Vinson Road
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After some discussion regarding the amount of right-of-way required, Councilman Janes moved the Council grant the change from Interim "A" Residence, 1st Height and Area to "LR" Local Retail as recommended by the Planning Commission subject to not more than 30 feet of right-of-way on Stassney Lane. The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

The Mayor announced that the change had been granted to "LR" Local Retail, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Application Withdrawn

The owner, Mrs. Ruth Tyson, requested that the following application be withdrawn:

MAUFRAIS BROS. by Richard C. Baker C14-69-315	Tract 1 1400-1416 Stassney Lane 5516-5530 Vinson Road	From Interim "A" Residence, 1st Height and Area to "GR" General Retail, 1st Height and Area NOT RECOMMENDED by the Planning Commission
	Tract 2 5506-5514 Vinson Road	RECOMMENDED by the Planning Commission "LR" Local Retail subject to 30' of right-of-way for Stassney Lane and 15' of right-of-way for Vinson Road

Councilman Janes moved the Council withdraw Tracts 1 and 2 from the application. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson

#### ZONING ORDINANCES PASSED

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

- (1) A .83 OF ONE ACRE OF LAND OUT OF THE WILLIAM BARTON LABOR, LOCALLY KNOWN AS 1116-1126 BARTON HILLS DRIVE, FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;
- (2) A 28,140 SQUARE FOOT TRACT OF LAND, BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING THE SOUTH 25 FEET OF BLOCK #2, AND THE NORTH 40 FEET OF BLOCK #7, DIVISION E, LOCALLY KNOWN AS 800 WEST AVENUE, FROM "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (3) THE EAST 100 FEET OF THE SOUTH ONE-HALF OF LOT 12, BLOCK 2, OF THE RESUBDIVISION OF SHOALMONT ADDITION, LOCALLY KNOWN AS THE REAR OF 5414-5416 BURNET ROAD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;
- (4) A 1.16 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5700-5708 MANOR ROAD AND 2708-2712 ROGGE LANE, FROM "LR" LOCAL RETAIL DISTRICT TO "GR" GENERAL RETAIL DISTRICT;
- (5) A 21,500 SQUARE FOOT TRACT OF LAND OUT OF THE THOMAS ELDRIDGE SURVEY, LOCALLY KNOWN AS 5807-5811 MANOR ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT;
- (6) LOTS 20 AND 21, SOUTH MEADOWS ADDITION, LOCALLY KNOWN AS 409-411 EBERHART LANE AND 6401-6403 SOUTH MEADOWS BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;
- (7) A 6,679 SQUARE FOOT TRACT OF LAND OUT OF OUTLOT NO. 5, DIVISION E, LOCALLY KNOWN AS 810 WEST 11TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;
- (8) A 2.06 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, LOCALLY KNOWN AS 400-416 EAST BEN WHITE BOULEVARD AND 4002-4030 MANUFACTURING BOULEVARD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;
- (9) THE SOUTH 43 FEET OF LOT 1 AND THE SOUTH 43 FEET OF LOT 2, BLOCK 104, OF THE ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 801 WEST AVENUE, AND 706-708 WEST 8TH STREET, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND
- (10) TRACT 1: A 10 ACRE TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY, LOCALLY KNOWN AS 8222-8320 NORTH INTERREGIONAL HIGHWAY, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT;
- TRACT 2: A 5 ACRE TRACT OF LAND OUT OF THE JAMES P. WALLACE SURVEY, LOCALLY KNOWN AS 8322-8404 NORTH INTERREGIONAL HIGHWAY, FROM INTERIM

"A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson  
 The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: EAST ONE-HALF OF LOT 5 OF BANISTER HEIGHTS ADDITION, LOCALLY KNOWN AS 1414-1416 FORT VIEW ROAD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson  
 Present But Not Voting: Councilman Gage

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson  
 Present But Not Voting: Councilman Gage

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson  
 Present But Not Voting: Councilman Gage

The Mayor announced that the ordinance had been finally passed.

Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: AN 8,855 SQUARE FOOT TRACT OF LAND OUT OF AND A PART OF OUTLOT NO. 72, IN DIVISION "D", LOCALLY KNOWN AS 621-623 WEST 31ST STREET, FROM "BB" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson

The ordinance was read the second time and Councilman Price moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson

The ordinance was read the third time and Councilman Price moved that the ordinance be finally passed. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

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Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:  
AN 18.26 ACRE TRACT OF LAND OUT OF THE HENRY P. HILL LEAGUE, LOCALLY KNOWN AS 1100-1104 ROBERT E. LEE ROAD AND THE REAR OF 1106-1126 ROBERT E. LEE ROAD, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;  
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Gage moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

The ordinance was read the second time and Councilman Gage moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed, The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

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Mayor LaRue introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 19.7 ACRE TRACT OF LAND LYING AND BEING A PORTION OF THE ISAAC DECKER LEAGUE, LOCALLY KNOWN AS THE REAR OF 2707-2905 DEL CURTO ROAD, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Janes moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Price, Mayor LaRue  
 Noes: Councilman MacCorkle  
 Absent: Councilman Johnson

The ordinance was read the second time and Councilman Janes moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Price, Mayor LaRue  
 Noes: Councilman MacCorkle  
 Absent: Councilman Johnson

The ordinance was read the third time and Councilman Janes moved that the ordinance be finally passed. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, Price, Mayor LaRue  
 Noes: Councilman MacCorkle  
 Absent: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

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#### ZONING ORDINANCE

Mayor LaRue brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 2.83 ACRE TRACT OF LAND (EAST 295 FEET OF LOTS 1, 2, 3 AND 4, OF TEMPLER SUBDIVISION), LOCALLY KNOWN AS THE REAR OF 1303-1407 KINNEY AVENUE, FROM "B" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS.

The ordinance was read the first time, and Councilman Janes moved that the ordinance be passed to its second reading. The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Gage, Janes, Price, Mayor LaRue  
Noes: Councilmen Atkison, MacCorkle  
Absent: Councilman Johnson

FINAL READING OF ORDINANCE ON APPLICATION  
FOR FRANCHISE BY AUSTIN TRANSIT CORPORATION

Mayor LaRue opened the public hearing scheduled for 9:30 A.M. for a public hearing on the application for a franchise by Austin Transit Corporation.

The City Manager, Mr. Lynn Andrews, noted that the Council had before it a final draft of Ordinance No. 691030-J, granting the Austin Transit Corporation a five-year franchise and including the recommended amendments.

Mr. Doren Eskew, Counsel, distributed a sketch which pointed out the modifications for comparison in the three proposed ordinances:

1. The final draft of Ordinance No. 691030-J, dated January 8, 1970,
2. Austin Transit Corporation's original request dated September 11, 1969
3. The old franchise which expired in December, 1969.

Mr. Eskew reviewed the proposed ordinance for the Council and answered questions from the Council about the ordinance.

Mr. Frank Denius, representing Austin Transit Corporation, made the following statements:

1. Rate making was a legislative function and the Courts did not substitute their judgement for that of a City Council or a legislative body.
2. Regarding air pollution, in 1955 the Company used gasoline powered buses which created less fumes than diesel powered ones, but were more expensive to operate. The Council requested that no more gasoline powered vehicles be used and that the company change to diesel ones. Electric buses could be acquired if the City wanted them and would pay the price.
3. If because of non-regulated competition (the UT shuttle service operated by Transportation Enterprises, Inc.) Austin Transit sustains a revenue deficiency, an increase in rates or route adjustments will be required. Section 12 of the ordinance covered that problem, and Austin Transit regarded that section as very important and necessary.
4. The Company was prepared to file a map showing existing zones and to recognize that there would be no zone changes without the Council's prior approval.

General discussion of bus services was held. Mayor LaRue noted that Federal funds were available for a survey to determine the mass transit needs in the City, and he felt certain that the Council would avail itself of those funds

during the next five years. Councilman Gage noted that funds were available from the Federal government for demonstration programs and acts in which the City might avail itself.

Mayor LaRue brought up the following ordinance as amended for its third reading:

AN ORDINANCE GRANTING TO AUSTIN TRANSIT CORPORATION A FRANCHISE FOR FIVE (5) YEARS TO OPERATE AND MAINTAIN A MOTOR BUS SYSTEM FOR THE TRANSPORTATION OF PERSONS AND PROPERTY UPON THE PUBLIC STREETS AND HIGHWAYS OF THE CITY OF AUSTIN, TEXAS, PURSUANT TO THE PROVISIONS OF THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, THE CHARTER OF THE CITY OF AUSTIN, AND THE CODES AND ORDINANCES OF THE CITY OF AUSTIN:

The ordinance was read the third time and Councilman Gage moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

#### RISERS FOR MUNICIPAL AUDITORIUM

Mrs. Dick Reynolds, President of the Austin Arts Council, spoke to the Council about the need for new risers on the first floor of the Municipal Auditorium. She asked the Council to vote to replace the non-existent or unusable risers with new ones within the year. Risers would double the downstairs seating capacity and improve the acoustics at the same time. She then asked members of the Arts Council, Cultural Entertainment Committee, the Fine Arts Department of The University of Texas and any other interested people to stand to show that they were behind her.

Mrs. Frederick Herrin, representing a fraternal organization of 130,000 members, stated that her organization hoped to hold its convention in Austin in 1971, but under its present condition the auditorium would not be a good arrangement for the convention. She asked that the Council consider installing the risers.

Mayor LaRue stated that he would ask the City Manager to give a report on the matter when it was convenient.

#### ANNEXATION ORDINANCES

Mayor LaRue brought up the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 1.13 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 11.96

ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT; 8.25 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 1.38 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE; ALL BEING LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time, and Councilman Price moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

The ordinance was read the second time and Councilman Price moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

RELEASE OF EASEMENTS

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain easement was granted to the City of Austin for public utility purposes, in, upon and across a portion of Lots 119 and 120, West Park Addition, a subdivision in the City of Austin, Travis County, Texas, of record in Book 7 at Page 44 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portion of said easement; and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Deputy City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portion of said public utility easement, to-wit:

Two (2) strips of land, each being five (5.00) feet in width and each being out of and a part of West Park Addition, a subdivision in the City of Austin, Travis County, Texas, of record in Book 7 at Page 44 of the Plat Records of Travis

County, Texas; the strip of land hereinafter described as Number One being out of and a part of Lot 119, said West Park Addition and the strip of land hereinafter described as Number Two being out of and a part of Lot 120, said West Park Addition; the centerline of each of the two (2) strips of land five (5.00) feet in width being more particularly described as follows:

NUMBER ONE, BEGINNING at the intersection of the north line of South Lamar Boulevard, and a line two and one-half (2.50) feet west of and parallel to the east line of said Lot 119, West Park Addition;

THENCE, with the said line two and one-half (2.50) feet west of and parallel to the east line of Lot 119, N 30° 47' W 147.00 feet to point of termination in the south line of an existing public utilities easement eight (8.00) feet in width same being a line three (3.00) feet south of and parallel to the north line of said Lot 119.

NUMBER TWO, BEGINNING at the intersection of the north line of South Lamar Boulevard and a line two and one-half (2.50) feet east of and parallel to the west line of said Lot 120, West Park Addition;

THENCE, with the said line two and one-half (2.50) feet east of and parallel to the west line of Lot 120, N 38° 47' W 147.00 feet to point of termination in the south line of an existing public utilities easement eight (8.00) feet in width same being a line three (3.00) feet south of and parallel to the north line of said Lot 120.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility purposes, same being out of and a part of Coronado Hills, Section Three, a subdivision in the City of Austin, Travis County, Texas, of record in Book 48 at Page 60 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of the above described property have requested the City Council of the City of Austin to release the hereinafter described portions of said easements; and,

WHEREAS, the City Council has determined that the hereinafter described portions of said easements are not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Deputy City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described portions of said public utility easements, to-wit:

Three (3) tracts of land, same being out of and a part of Coronado Hills, Section Three, a subdivision in the City of Austin, Travis County, Texas, of record in Book 48 at Page 60 of the Plat Records of Travis County, Texas; the tract of land hereinafter described as Number One being out of and a part of Lot 14-A, Block J, said Coronado Hills, Section Three, and being seven and one-half (7.50) feet in width, the tract of land hereinafter described as Number Two being out of and a part of Lot 15-B, Block Z, said Coronado Hills, Section Three, and being seven and one-half (7.50) feet in width, and the tract of land hereinafter described as Number Three being out of and a part of said Lot 15-B, Block Z, Coronado Hills, Section Three, and containing 500 square feet of land; which Tract Number One is to be released from the public utilities easement provided on a map or plat of Creekside, a subdivision of record in Book 41 at Page 9 of the Plat Records of Travis County, Texas, which Tract Number Two is to be released from the public utilities easement provided on said map or plat of Creekside and the aforesaid map or plat of Coronado Hills, Section Three, and which Tract Number Three is to be released from the public utilities easement provided on said map or plat of Coronado Hills, Section Three; the centerline of tracts Number One and Number Two being more particularly described as follows and Tract Number Three being more particularly described by metes and bounds as follows:

NUMBER ONE, BEGINNING at a point in the east line of said lot 14-A, Block J, same being the west line of Brookhollow Drive, and from which point of beginning a steel pin at the southeast corner of said Lot 14-A bears S 35° 10' W 31.25 feet;

THENCE, N 54° 50' W to point of termination in the east line of an existing public utilities easement fifteen (15.00) feet in width.

NUMBER TWO, BEGINNING at the intersection of the west line of said Lot 15-B, Block Z, same being the east line of Brookhollow Drive, and a line 3.75 feet south of and parallel to the north line of said Lot 15-B;

THENCE, with the said line 3.75 feet south of and parallel to the north line of Lot 15-B, S 54° 50' E 75.00 feet to point of termination in the east line of said Lot 15-B.

NUMBER THREE, BEGINNING at a steel pin at the southeast corner of said Lot 15-B, same being the southeast corner of the herein described tract of land, which point of beginning is in the north line of Shelbourne Drive;

THENCE, with the said north line of Shelbourne Drive, N 54° 50' W 40.00 feet to the most westerly corner of the herein described tract of land;

THENCE, S 86° 50' E 47.18 feet to a point in the east line of said Lot 15-B, which point is the most easterly corner of the herein described tract of land;

THENCE, with the said east line of Lot 15-B, S 35° 10' W 25.00 feet to the point of beginning.

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
 Noes: None  
 Absent: Councilman Johnson

**STREET NAME CHANGE DELAYED**

Mr. Frank DeGroot had requested changing the name of Buell Avenue to Windhaven Drive between Stillwood Lane and Burnet Road and had obtained signatures on a petition from most of the area property owners. The City Manager stated that City policy was to have 100 per cent compliance before granting a name change, and one area owner, Mr. Wilson Foreman, objected to the change.

It was decided to hold the request in abeyance to see if 100 per cent compliance could be obtained.

**ANNEXATION HEARING SET**

Councilman Price moved the Council set a public hearing for 9:30 A.M., January 29, 1970, to consider annexing the following:

- (1) 23.31 acres out of the John Applegait Survey - a portion of East Rundberg Lane and unplatted land.
- (2) 0.66 acre of land out of the J. C. Tannehill League - a portion of Albin Johnson Subdivision.

The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, MacCorkle, Price, Mayor LaRue  
 Noes: Councilmen Gage, Janes  
 Absent: Councilman Johnson

**CONTRACTS AWARDED**

Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 5, 1970, for electrical work for Northwest Booster Pump Station, including miscellaneous related work for a pump station under construction at the Spicewood Springs Reservoir; and,

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 59.34 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JOHN APPELEGATE SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Janes moved that the ordinance be finally passed. The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

The Mayor announced that the ordinance had been finally passed.

ZONING HEARINGS

Mayor LaRue announced that the Council would hear the zoning cases scheduled for 9:30 A.M. for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

Action Withheld

Councilman MacCorkle moved the Council withhold action for one week on the following:

A. E. RHODES, JR. 3206-3208 King St. From "BB" Residence to "B" Residence  
by A. E. Rhodes, Sr. C14-69-305 NOT RECOMMENDED by the Planning Commission

The motion, seconded by Councilman Atkison, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

Referred Back to Planning Commission

Councilman Janes moved the Council refer the following application back to the Planning Commission for restudy:

CAREY LEGETT, JR. & 703-705 W. 32nd St. From "BB" Residence, 1st Height and Area to "O" Office, 2nd Height and Area  
GEORGIA F. LEGETT 3110 King Street NOT RECOMMENDED by the Planning Commission  
by Charles Trenckmann 3111 King Street  
C14-69-306

WHEREAS, the bid of Dean Johnston Electric in the sum of \$23,810.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Director of Water and Waste Water Department of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Dean Johnston Electric in the sum of \$23,810.00 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin be and he is hereby authorized to execute a contract on behalf of the City with Dean Johnston Electric.

The motion, seconded by Councilman Price, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

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Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 23, 1969, for X-Ray Film for one (1) year for use by Brackenridge Hospital; and,

WHEREAS, the bid of General Electric Company, Dallas, Texas, in the sum of \$57,203.80, was the lowest and best bid therefor and the acceptance of such bid has been recommended by Brackenridge Hospital Administrator of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of General Electric Company, Dallas, Texas, in the sum of \$57,203.80 be and the same is hereby accepted and that L. H. Andrews, City Manager of the City of Austin be and he is hereby authorized to execute a contract on behalf of the City with General Electric Company, Dallas, Texas.

The motion, seconded by Councilman Gage, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

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Councilman Gage offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on December 31, 1969, for Twelve (12) months contract for Flexible Base for use by the Street and Bridge Division; and,

WHEREAS, the bid of M. E. Ruby, Jr., Inc. in the sum of \$68,695.20, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of M. E. Ruby, Jr., Inc., in the sum of \$68,695.20 be and the same is hereby accepted, and that L. H. Andrews, City Manager of the City of Austin be and he is hereby authorized to execute a contract on behalf of the City with M. E. Ruby, Jr., Inc.

The motion, seconded by Councilman Price, carried by the following vote:

- Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
- Noes: None
- Absent: Councilman Johnson

SELECTION OF ENGINEERING CONSULTANT

Councilman Gage moved the Council select the firm of Knowlton, Ratliff, English and Collins as Consultants for the design of water and sewer main installations along North Lamar in the vicinity of U. S. Highway 183 and Koenig Lane. The motion, seconded by Councilman MacCorkle, carried by the following vote:

- Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
- Noes: None
- Absent: Councilman Johnson

ITEM POSTPONED

Consideration of a one-year extension of the contract with AUSTIN ARMY AND NAVY STORE for a year's requirement for Firemen's uniforms in accordance with terms of the present contract - \$40,500.05, was delayed for one week.

RENOVATIONS TO MUNICIPAL BUILDING

Councilman Price offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, L. H. Andrews, City Manager, has requested that \$9,600.00 be appropriated out of the unappropriated revenues and added to the Account of the Office of the City Manager (00710020-900), to meet added expenses of that Office for the fiscal year 1969 through 1970; and,

WHEREAS, on January 15, 1970, said request was submitted to the City Council by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the requested transfer of the sum of \$9,600.00 be granted, and that the totals and balances in the Budget Document be adjusted wherever necessary in order to accurately reflect the requested appropriation.

The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

#### COMPLAINT ABOUT AMBULANCE SERVICE

Mrs. Ethel Henderson stated that her 79-year-old mother, who lived in a convalescent home at 110 East Live Oak had had a breast removed for cancer and had to have daily radium treatments at Brackenridge Hospital. She was paralyzed and unable to travel by automobile. Mrs. Henderson stated that ambulance service had been refused her mother. Mayor LaRue suggested that Mrs. Henderson get with the City Manager and discuss the matter with him.

#### BOARD AND COMMISSION APPOINTMENTS

Councilman MacCorkle requested that the Council be supplied with a list of the individuals on the various boards with their date of expiration of term. He wanted to know how long the individuals had served. The City Manager stated that all members would be placed on the computer and that that should help to determine their lengths of service.

#### LOWERING OF LAKE AUSTIN

Councilman Atkison moved the Council refer the matter of lowering Lake Austin to the Navigation Board and ask that the Board report back to the Council by next Thursday. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue  
Noes: None  
Absent: Councilman Johnson

#### PHASING OUT OF BRACKENRIDGE HOSPITAL EAST

The City Manager stated that in a few days he would be submitting to the Council an outline of a study relating to Brackenridge Hospital East. He would have the matter on the Agenda for next Thursday.

ADJOURNMENT

Councilman Gage moved the Council adjourn. The motion, seconded by Councilman Price, carried by the following vote:

- Ayes: Councilmen Atkison, Gage, Janes, MacCorkle, Price, Mayor LaRue
- Noes: None
- Absent: Councilman Johnson

APPROVED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk